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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/525,108	09/15/2005	Mitsutoshi Nakajima	KNI-195-A	5632
21828 7590 10/26/2010 CARRIER BLACKMAN AND ASSOCIATES 43440 WEST TEN MILE ROAD EATON CENTER NOVI, MI 48375				
EXAMINER YOUNG, MICAH PAUL				
ART UNIT		PAPER NUMBER		
1618				
MAIL DATE		DELIVERY MODE		
10/26/2010		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**First Action Interview
Office Action Summary**

Application No.

10/525,108

Applicant(s)

NAKAJIMA ET AL.

Examiner

MICAH-PAUL YOUNG

Art Unit

1618

Page 1 of 2

The MAILING OR NOTIFICATION DATE of this communication appears on the cover sheet with the correspondence address.

THE SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE **ONE MONTH OR THIRTY (30) DAYS**, WHICHEVER IS LONGER, FROM THE MAILING OR NOTIFICATION DATE OF THIS COMMUNICATION.

This time period for reply is extendable under 37 CFR 1.136(a) for only ONE additional MONTH.

☒ Applicant's request to not have a first-action interview is acknowledged (or the time period for reply set forth in the Pre-Interview Communication has expired and the Office did not receive any reply).

Status

- 1) ☒ Responsive to communication(s) filed on 3 May 2010 and interview conducted on 6/23/10.
2) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 3) ☒ Claim(s) 9-19 is/are pending in the application.
3a) Of the above claim(s) _____ is/are withdrawn from consideration.
4) ☐ Claim(s) _____ is/are allowed.
5) ☒ Claim(s) 9-19 is/are rejected.
6) ☐ Claim(s) _____ is/are objected to.
7) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 8) ☐ The specification is objected to by the Examiner.
9) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
10) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 11) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

Contact Information

Examiner's Telephone Number: (571)272-0608

Examiner's Typical Work Schedule: Monday-Thursday 7:00-5:30; every Friday off

Supervisor's Name: Michael G. Hartley

Supervisor's Telephone Number: 571-272-0616

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-5106)
Paper No(s)/Mail Date 2/18/05
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

First Action Interview Office Action Summary		Application No. 10525108	Applicant(s) NAKAJIMA ET AL.	
		Examiner MICAHA-PAUL YOUNG	Art Unit 1618	Page 2 of 2

Notification of Rejection(s) and/or Objection(s)

#	Claim(s)	Reference(s) (if applicable)	Rejection Statutory Basis	Brief Explanation of Rejection
1	19	Andrianov et al USPN 5500161	102(b)	The '161 patent teaches a method of making microparticles (abstract, col. 3, lin. 45-53). The microparticles are formed by flowing together a continuous aqueous phase with a polyelectric polymer through a microchannel
2	9-19	Andrianov et al USPN 5500161 in view of Bugarski et al (AIChE Journal) June 1994, vol. 40, No. 6	103(a)	The 161 provides a method of making microparticles using a polyelectric solution and a continuous phase flowed together turbulently. The Bugarski study provides a method of contacting the polyelectric dispersion of 161
3	11		112 2nd paragraph	The claim recites a large volume capacity, yet does not define the term "large". The claim is indefinite since "large" is a relative term not defined by the spec or claim.

Expanded Discussion/Commentary

		(col. 6, lin. 40-55). The microparticles measure 1-1000 microns, and encapsule active agents such as proteins and pharmaceutical agents (Examples, col. 3, lin. 60-65). The polyelectric polymers include polyacrylic and polymethacrylic acids.
		with a polyvalent solution (Ca ions) (Experimental studies pg 1027). The polyelectric dispersion would be forced through a small channel (needle/nozzle) and dropped into the Ca solution. The Ca solution has a different charge than the dropping solution and is controlled by disk electrodes. The Ca hardening solution can further comprise alginate. It would have been obvious to form microbeads using this method in order to ensure uniform bead size. Without the reversing negative field of the hardening solution particle size varied widely (page 1029).
		The combination of prior art does not contain a surface active agent.
DATE: 10/18/2010		/MICAHA-PAUL YOUNG/ Examiner, Art Unit 1618
		/Michael G. Hartley/ Supervisory Patent Examiner, Art Unit 1618